

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

TRI-HOPE LIFE MINISTRIES, *et al.*,

Plaintiffs,

v.

Civil Action No. 3:24-cv-206

COUNTY OF POWHATAN, VIRGINIA,

and

**THE POWHATAN COUNTY BOARD
OF SUPERVISORS,**

Defendants.

ORDER

For the reasons stated in the accompanying Memorandum Opinion, the Court GRANTS Defendants the County of Powhatan, Virginia (“Powhatan County”) and the Powhatan County Board of Supervisors (the “Board of Supervisors”) (collectively, the “Defendants”) Motion to Dismiss Amended Complaint (the “Motion to Dismiss” or “Motion”). (ECF No. 24.) The Court DISMISSES WITHOUT PREJUDICE Plaintiffs’ Amended Complaint. (ECF No. 21.) Plaintiffs’ Motion for Leave to File Early Motion for Summary Judgment Without Prejudice to Subsequent Motion for Summary Judgment is DEEMED MOOT. (ECF No. 32.)

Although Plaintiffs fail to state any of their claims on this record, they are PERMITTED to seek leave to file a Second Amended Complaint within twenty-one days of the date of this Order. The Second Amended Complaint must stand or fall on its own accord. To assure the Court that a live case and controversy remains, the Second Amended Complaint SHALL include all relevant updates that have occurred since the filing of the First Amended Complaint

To the extent Plaintiffs are reasonably able to provide them, these updates SHALL include, but are not limited to, the following:

1. The status of any additional conditional use permit applications regarding Tri-Hope Stonehenge;
2. As volunteered by Plaintiffs in their Opposition when requesting leave to amend, “additional allegations concerning the property owner’s recent efforts to clear title through its title insurance provider” which, Plaintiffs assert, “should result in access to the property one way or the other”, (ECF No. 34, at 10);
3. More generally, the current status of access to Tri-Hope Stonehenge by road;
4. As also volunteered by Plaintiffs, allegations “that the septic system has been upgraded and approved by the government authorities”, (ECF No. 34, at 18);
5. As alluded to in ¶ 104(c) of the First Amended Complaint, any developments regarding Plaintiffs’ ability to obtain a building inspection and certificate of occupancy for the upstairs portion of Tri-Hope Stonehenge.

It is SO ORDERED.

Date: 3/27/25
Richmond, Virginia



M. Hannah Lauck
United States District Judge